

AMENDMENTS TO THE CLAIMS

1. (Previously presented) A method of communicating over a local area wireless link, said method comprising the steps of:

performing at least once, a higher data rate transmission of a data packet comprising a header data and a payload data, wherein said header data is transmitted at a first transmission data rate and said payload data is transmitted at a second transmission data rate, said second data rate being higher than said first data rate, said header data containing a field describing said second transmission data rate of said payload data;

monitoring for receipt of a confirmation signal, said confirmation signal confirming that said data packet has been received;

monitoring a number of said higher data rate transmissions made;

if a number of said higher data rate transmissions of said data packet has been made which exceeds a first predetermined number, and said confirmation signal is not received, then performing at least one lower rate transmission of said data packet, wherein said header data is transmitted at said first data rate and said packet data is transmitted at a data rate being lower than said second transmission data rate;

monitoring a number of said lower data rate transmissions of said data packet;
and

if a number of said lower data rate transmissions exceeds a second predetermined number, and said confirmation signal is not received, dropping said data packet.

2. (Original) The method as claimed in claim 1, wherein said step of performing a higher rate transmission of a data packet is performed at least two times.

3. (Original) The method as claimed in claim 1, wherein said step of performing a lower data rate transmission of a data packet is performed at least two times.

4. (Original) The method as claimed in claim 1, wherein said first predetermined number is set at a value of at least two.

5. (Original) The method as claimed in claim 1, wherein said second predetermined number is set at a value of at least two.

6. (Previously presented) A computer entity capable of communicating over a local area wireless link, said computer entity comprising a transmitter; and a receiver wherein said computer entity further comprises:

- a processor adapted to control a rate of transmission by the transmitter of a data packet comprising header data and payload data, and to monitor receipt by the receiver of a confirmation signal for confirming that said data packet has been received;

- a timer for timing at least one pre-determined time period for monitoring receipt of said confirmation signal;

- said computer entity operating to:

- perform at least once, a higher data rate transmission of a data packet comprising a header data and a payload data, wherein said header data is transmitted at a first transmission data rate and said payload data is transmitted at a second transmission data rate, said second data rate being higher than said first data rate, said header data containing a field describing said second transmission data rate of said payload data;

- monitor receipt of a confirmation signal, said confirmation signal confirming that said data packet has been received;

- monitor a number of said higher data rate transmissions made;

- if a number of said higher data rate transmissions of said data packet have been made which exceeds a first predetermined number, and said confirmation signal is not received, then performing at least one lower data rate transmission of said data packet, wherein said header data is transmitted at said first data rate and said packet data is transmitted at a data rate being lower than said second transmission data rate;

- monitoring a number of said lower data rate transmissions of said data packet;
- and

- if a number of said lower data rate transmissions exceed a second predetermined number, and said confirmation signal is not received, dropping said data packet.

7. (Original) The computer entity as claimed in claim 6, further operating such that said step of performing a higher data rate transmission of a data packet is performed at least two times.

8. (Original) The computer entity as claimed in claim 6, further operating such that said step of performing a lower data rate transmission of a data packet is performed at least two times.

9. (Original) The computer entity as claimed in claim 6, pre-configured such that said first pre-determined number is set at a value of at least two.

10. (Original) The computer entity as claimed in claim 6, pre-configured such that said second predetermined number is set at a value of at least two.

11. (Cancelled)